

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
NORTHEASTERN DIVISION**

<b>CATHERINE DENISE SILVESTRO,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>VS.</b>	)	<b>No. 2:23-cv-00001</b>
	)	<b>JURY DEMANDED</b>
<b>WALMART INC.</b>	)	
	)	
<b>Defendant.</b>	)	

**NOTICE OF REMOVAL**

Defendant hereby gives notice of the removal pursuant to 28 U.S.C. § 1441 et. seq., of the following action filed against them: Catherine Denise Silvestro v. Walmart Inc., in the Circuit Court for Washington County, Tennessee, No. 41944.

Plaintiff is a citizen and resident of Washington County, Tennessee.

Wal-Mart Stores East, LP, is the entity that operated the store on the date of this accident. Walmart Inc. is not a proper party to this action. Defendant may be referred to as “Wal-Mart” in this document. It is expected that Wal-Mart Stores East, LP, will be substituted as the proper defendant in this matter.

Wal-Mart Stores East, LP is a Delaware limited partnership. The general partner is WSE Management, LLC, a Delaware limited liability company. The limited partner is WSE Investment, LLC, a Delaware limited liability company. The sole member of WSE Management, LLC and WSE Investment, LLC is Wal-Mart Stores East, LLC fka Wal-Mart Stores East, Inc., an Arkansas limited liability company. The sole member of Wal-Mart Stores East, LLC is Walmart Inc. fka Wal-Mart Stores, Inc., a Delaware corporation. There are no other owners of Wal-Mart Stores East, LLC. Walmart Inc. is and was at the times plaintiff's complaint was filed and this matter being removed to this Court a corporation organized and existing under the laws of the State of Delaware with its

principal place of business in Bentonville, Arkansas. Walmart Inc. is a publicly traded company on the New York Stock Exchange and traded under the symbol WMT. No publicly traded entity owns more than 10% of Walmart Inc. The principal place of business for all entities mentioned is 702 S.W. 8th Street, Bentonville, Arkansas 72716.

Jurisdiction is conferred under 28 U.S.C. § 1332 relating to diversity of citizenship of the parties. The parties are citizens of different states.

The amount in controversy is in excess of the federal jurisdictional requisite of \$75,000. The complaint prays for an “award of compensatory damages against Walmart in the amount of \$250,000.00.”

Defendant received a copy of the complaint via certified mail on December 9, 2022. Defendant has not yet been served with process. A copy of the complaint is attached as Exhibit A. Fewer than thirty days have expired since Defendant received a copy of plaintiff’s complaint. This Notice of Removal is timely filed as set forth in 28 U.S.C. § 1446(b).

WHEREFORE, Defendant hereby gives notice of the removal of this action pending in the Circuit Court of Washington County, Tennessee, to the United States District Court for the Eastern District of Tennessee, Northeastern Division, and requests that the proceedings be held thereon.

/s/ Maria T. de Quesada  
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#615/244-3370  
Attorneys for defendant

## **CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was electronically filed with the Court and was served by U.S. Mail, postage prepaid, upon:

Richard Phillips  
109 East Main Street, Suite 2  
Jonesborough, TN 37659  
[rjpmilligan@gmail.com](mailto:rjpmilligan@gmail.com)

this the 5<sup>TH</sup> day of January, 2023.

/s/ Maria T. de Quesada